

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Rios,

Plaintiff,

20 Civ. 4369 (KMK) (AEK)

-against-

ORDER

Saul,

Defendant.
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THE HONORABLE ANDREW E. KRAUSE, U.S.M.J.

After Plaintiff twice failed to file her motion for judgment on the pleadings by the deadlines set by the Court, on July 27, 2021, the Court issued an order granting Defendant permission to file a motion to dismiss for failure to prosecute. ECF No. 20. In response to the Court's July 27 order, on August 9, 2021, Plaintiff filed a letter requesting "non pro tunc [sic] with consent of opposing counsel to be allowed to make my motion," and that same day, the Court memo-endorsed the letter directing Plaintiff to serve and file her motion for judgment on the pleadings by September 8, 2021. ECF No. 22. The Court added, "[g]iven that Plaintiff's motion was more than seven weeks overdue at the time this application was filed, there will be **no further extensions** of the Plaintiff's deadlines in this matter." Id. (emphasis in original). To date, Plaintiff has still not filed her motion.

Due to Plaintiff's repeated failures to adhere to Court-ordered deadlines, the Court once again grants Defendant permission to file a motion to dismiss for failure to prosecute as follows:

the motion is to be served and filed by September 27, 2021; Plaintiff is to serve and file her opposition by October 12, 2021; and Defendant's reply, if any, is to be served and filed by October 26, 2021.

Dated: September 14, 2021
White Plains, New York

SO ORDERED.

A handwritten signature in black ink, appearing to read "Andrew Krause", written over a horizontal line.

ANDREW E. KRAUSE
United States Magistrate Judge